Application No. 09/043,813 Reply to Office Action dated July 30, 2003

Double Patenting Rejection:

The Examiner has rejected Claims 1-6 under the judicially created doctrine of

obviousness-type double patenting as being unpatentable over Claim 54 of U.S. Patent No.

5,962,407.

Although Applicants continue to disagree for reasons of record with the

Examiner's contention that the subject matter of Claims 1-6 is obvious in view of Claim 54 or

even Claim 55 (as suggested by the Examiner in the instant Office Action), submitted herewith is

a Terminal Disclaimer To Obviate a Double Patenting Rejection Over a Prior Patent signed by

the undersigned attorney of record and accompanied by the requisite fee. The instant application

and U.S. Patent 5,962,407 are commonly owned by SeaTek Marine Biotechnology and

University of British Columbia. Accordingly, Applicants respectfully submit that the

obviousness-type double patenting rejection of Claims 1-6 is hereby overcome by the Terminal

Disclaimer filed herewith.

All of the claims in the application are now clearly allowable. Favorable

consideration and a Notice of Allowance are earnestly solicited. The Commissioner is

authorized to charge any additional fees due by way of this Amendment, or credit any

overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

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Enclosure:

Copy of Amendment Filed December 9, 1999

Terminal Disclaimer

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